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18 Attorneys for Defendants  
19 REALNETWORKS, INC. AND LISTEN.COM

20 UNITED STATES DISTRICT COURT  
21 FOR THE NORTHERN DISTRICT OF CALIFORNIA

22 FRISKIT, INC.,

23 Plaintiff,

24 v.

25 REALNETWORKS, INC., and LISTEN.COM,

26 Defendants.

27 Case No. CV 03-5085 WWS

28 Judge William W. Schwarzer

Magistrate Judge James

**STIPULATION AND ~~PROPOSED~~ ORDER  
TO CONTINUE FILING OF DEFENDANTS'  
RESPONSE TO FRISKIT'S STATEMENT  
REGARDING THE PRODUCTION OF  
SOURCE CODE**

29 Pursuant to Civil Local Rules 6-2 and 7-1, plaintiff Friskit, Inc. ("Friskit") and defendants  
30 RealNetworks, Inc. and Listen.com ("RealNetworks"), through their counsel of record, hereby stipulate  
31 to continue the filing of Defendants' Response to Friskit's Statement Regarding the Production of  
32 Source Code.

33 Stipulation and ~~Proposed~~ Order To Continue Filing of Defendants' Response to Friskit's Statement Regarding the  
34 Production of Source Code  
35 Case No. CV 03-5085 WWS

WHEREAS pursuant to the Court's December 23, 2005 Order, Friskit's Statement Regarding the Production of Source Code was due on January 6, 2005 and Defendants' Response to Friskit's Statement Regarding the Production of Source Code is to be due on January 17, 2006;

WHEREAS, due to a miscommunication between the parties regarding the actual service of the unredacted statement, Real's counsel requested more time to respond to Friskit's Statement;

WHEREAS Friskit agreed to allow Real until January 19, 2006, to provide its Response, pending the Court's approval;

NOW THEREFORE, pursuant to Civil L.R. 6-2 and 7-1, the parties hereby stipulate, by and through their respective counsel of record, that Real's Response to Friskit's Statement Regarding the Production of Source Code be continued to January 19, 2006.

## IT IS SO STIPULATED:

By: /s/ Jeffrey A. Pine  
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Probitas Corporation  
27 Preston Road, Woodside, CA 94062



**IT IS SO ORDERED:**

Dated: January 17, 2006

## **AFFIRMATION OF E-FILED SIGNATURE**

I, Jeffrey A. Pine, attest that signatory, David A. Perlson, has read and approved the  
STIPULATION AND [PROPOSED] ORDER REGARDING FILING OF DEFENDANTS'  
RESPONSES TO FRISKIT'S STATEMENT REGARDING THE PRODUCTION OF SOURCE CODE  
and consents to its filing in this action.

/s/ Jeffrey A. Pine